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*Special Counsel to Irving H. Picard, Trustee for the  
Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC and  
the estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of  
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

DEFENDANTS IN ADVERSARY PROCEEDINGS  
LISTED ON EXHIBIT 1 ATTACHED HERETO,

Defendants.

No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. Nos. listed on Exhibit 1  
Attached Hereto

**JOINDER TO THE TRUSTEE'S REPLY MEMORANDUM OF LAW  
IN FURTHER SUPPORT OF MOTION FOR COURT ORDER AUTHORIZING  
LIMITED DISCOVERY PURSUANT TO FED. R. CIV. P. 26(d)(1)**

Windels Marx Lane & Mittendorf, LLP ("Windels Marx") is special counsel to Irving H. Picard, as trustee (the "Trustee") for the liquidation of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* ("SIPA") and the

substantively consolidated estate of Bernard L. Madoff and is counsel of record for the Trustee in the adversary proceedings listed on Exhibit 1.

In the above noted capacity, Windels Marx hereby joins in its entirety the Trustee's Reply Memorandum of Law in Further Support of Motion for Court Order Authorizing Limited Discovery Pursuant to Fed. R. Civ. P. 26(d)(1) filed by Baker & Hostetler LLP on November 20, 2017 in the main docket of this case, *SIPC v. Bernard L. Madoff Investment Securities LLC*, Adv. Pro. No. 08-01789 (SMB) (the "Reply Memorandum"), and all arguments asserted therein.

For the reasons set forth in the Reply Memorandum, the Trustee respectfully requests that the Court grant the Trustee's request for an order directing the Defendants identified on Exhibit 1 to produce the limited discovery sought in Exhibit B to the Declaration of Howard L. Simon dated August 28, 2014, and any and all other relief the Court deems just and proper.

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|--------------------------|--|
| Dated: November 20, 2017 | <u>/s/ Howard L. Simon</u>               |
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